

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/560,109 Confirmation No.: 3400
 First Named Inventor: Sallaway, Peter J. Filing Date: 28 April 2000
 Group Art Unit: 2734 Examiner: Tran, K.
 Atty. Docket No.: M-5628 US
 Title: Detector For A Gigabit Ethernet Receiver
 Assignee(s): National Semiconductor Corporation

Mountain View, California
 10 February 2004

COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

This is in official response to the Office Action mailed 20 January 2004 for the above patent application.

The Office Action (a) requests that Applicant submit a further substitute specification which includes the specification revisions prescribed in the amendments filed 15 September 2003, 15 October 2003, and 3 December 2003 in order to facilitate printing of the patent and (b) specifies that these amendments have therefore not been entered.

As preliminary matter, two amendments were submitted 15 October 2003, one for revising the text, including the specification, and the other for revising the drawings. Inasmuch as the 15 October 2003 amendment to the drawings does not prescribe any revisions to the specification, Applicants' Attorney assumes that the Office Action's reference to the amendments filed 15 September 2003, 15 October 2003, and 3 December 2003 does not encompass the amendment submitted 15 October 2003 for revising the drawings and, thus, that no objection is currently being raised with regard to the 15 October 2003 amendment for revising the drawings.

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For simplicity, all references below to the 15 October 2003 amendment solely mean the 15 October 2003 amendment for revising the text.

Applicants' Attorney discussed the substitute specification matter with the Examiner in a telephone conversation on 3 February 2004. In that conversation, Applicants' Attorney pointed out that:

- a. Replacement specification pages R12 and R36 were submitted with the 15 October 2003 amendment to replace pages S12 and S36 of the substitute specification, i.e., the original substitute specification submitted with the 15 September 2003 amendment;
- b. Replacement specification pages R18 and R19 were submitted with the 3 December 2003 amendment to replace pages S18 and S19 of the original substitute specification; and
- c. Substitution of replacement pages R12, R18, R19, and R36 respectively for pages S12, S18, S19, and S36 of the original substitute specification would produce a revised substitute specification that is current up through the 3 December 2003 amendment.

During the 3 February 2004 conversation, the Examiner indicated that he was replacing pages S12, S18, S19, and S36 of the original substitute specification with pages R12, R18, R19, and R36. In a 6 February 2004 telephone conversation with Applicants' Attorney, the Examiner confirmed that the page replacement had been performed.

Applicants' Attorney could submit a further substitute specification that incorporates the specification revisions prescribed in the 15 October 2003 and 3 December 2003 amendments (along, of course, with the specification revisions prescribed in the 15 September 2003 amendment). However, the so-submitted further substitute specification would duplicate the substitute specification that has been created by the Examiner's substitution of replacement pages R12, R18, R19, and R36 respectively for pages S12, S18, S19, and S36 of the original substitute specification. No useful purpose would be achieved by submitting such a further substitute specification.

Accompanying this response is an amendment for making one additional correction to the specification. Similar to the 15 October 2003 and 3 December 2003 amendments, the accompanying amendment includes replacement page R53 that is to be substituted for page

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S53 of the substitute specification. The Examiner is accordingly requested to replace page S53 of the substitute specification with page R53 to produce a revised substitute specification which is current through the date of the present response.

In view of (a) the above comments, (b) the Examiner's substitution of pages R12, R18, R19, and R36 for pages S12, S18, S19, and S36 of the original substitute specification, and (c) the accompanying request to substitute accompanying page R53 for page S53 of the substitute specification, Applicants' Attorney believes that the request to submit a substitute specification that incorporates all the specification revisions of 15 September 2003, 15 October 2003, and 3 December 2003 has been complied with. Accordingly, the amendments submitted 15 September 2003, 15 October 2003, and 3 December 2003 should be entered along with the accompanying amendment.

The specification page numbers that contain the material revised via the 15 October 2003 and 3 December 2003 amendments do not identically respectively correspond to pages 12, 18, 19, and 36, whether preceded by "R" or "S", of the substitute specification. Likewise, the specification page that contains the material revised via the accompanying amendment does not identically correspond to page 53, whether preceded by an "R" or an "S", of the substitute specification.

As Applicants' Attorney pointed out in the 3 February 2004 telephone conversation in response to an observation made by the Examiner in regard to the page-difference matter, the difference in page numbering arises because the pagination changed in generating the original substitute specification from the specification of the application as original filed. The specification of the original application has 59 pages whereas the substitute specification has 56 pages. Replacement pages R12, R18, R19, R36, and R53 do indeed respectively incorporate the changes made to the specified paragraphs on pages 13, 18, 20, 38, and 55 of the original specification. Hence, the page numbers that contain the revised paragraphs of the substitute specification, whether the original substitute specification or the revised substitute specification created by replacing pages S12, S18, S19, S36, and S53 respectively with pages R12, R18, R19, R36, and R53, are correct to the best knowledge of Applicants' Attorney.

Responsive to a request made by the Examiner in the 6 February 2003 telephone conversation to identify the particular application figures addressed by the pending claims,

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independent Claims 36 and 74 cover the subject matter of Fig. 19 in combination with Figs. 5A and 5B. In this regard, the first paragraph on page 29 of the original specification corresponds to paragraph 104, page S27, of the substitute specification and provides that an alternative embodiment of feedback section 811 in decision feedback equalizer 800 of Fig. 6 appears as feedback section 1905 in Fig. 19 and includes look-up table 1906. Note that the accompanying amendment corrects an error in the specification material dealing with Fig. 19.

Independent Claims 52 and 82 cover the subject matter of Figs. 10, 11A, 11B, and 13 - 16 in combination with Figs. 5A and 5B.

Please telephone Attorney for Applicant(s) at 650-964-9767 if there are any questions.

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Respectfully submitted,



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